

MINUTES
MONROE COUNTY CONTRACTORS' EXAMINING BOARD REGULAR MEETING
Tuesday, September 10, 2013, 9:30 a.m.
Marathon Government Center

1. Call to Order/Roll Call:

Chairman Rudy Krause called the meeting to order at 9:34 a.m. Present were Steve Henson, Chris Sante, Bill Miller, Gary Centonze, and Chairman Rudy Krause.

Absent were Vice-Chair Bill Kelly, Peggy Bankester, and Alesha Scheuerman. Excused were Alternate Frank Toppino and Second Alternate Charles Miller.

Present with no roll call were Attorney Steve Williams for Attorney Lisa Granger, Attorney John Wolfe for Attorney Wright, and Building Official/Secretary Jerry Smith.

2. Agenda Changes:

N/A – Motion made by Mr. Henson and seconded by Mr. Sante; no nay votes.

3. Approval of Agenda:

Motion made by Mr. Sante to approve agenda as presented and seconded by Mr. Henson; no nay votes.

4. Approval of Minutes:

a. Regular Meeting: July 9, 2013

Motion made by Mr. Sante approving the minutes as presented and seconded by Mr. Henson; no nay votes.

5. Next Meeting Dates:

a. Regular Meeting: November 19, 2013

6. Swearing-in of Witnesses to Testify:

Attorney Wolfe sworn-in all of those giving testimony

7. Code Compliance Cases:

a. CE13030106 Notice of Appeal

Glenn Prah

Engrave-A-Tech, LLC

6-234.(a) Advertising as a contractor without a valid certificate of competency

Mr. Prah was present without legal representation to address the Board and contested the violation. Code Compliance Inspector Bruno was present to address the County. After testimony and evidence was taken from all parties, motion was made by Mr. Sante to find Respondent NOT in violation (dismiss case) and GRANT APPEAL since no certificate of competency is required and seconded by Mr. Miller. Motion carried unanimously.

b. CE12090053 Notice to Appear

Carlos J. Davalos, Jr. CGC1517556

CDB Construction, Inc.

6-202.(11)a Work without benefit of a permit

Mr. Davalos was present without legal representation to address the Board and did not contest the violation. Code Compliance Inspector Bruno was present to address the County. After testimony and evidence was taken from all parties, motion was made by Mr. Sante to find Respondent IN violation as cited and seconded by Mr. Henson. Motion carried unanimously.

Penalty – Motion made by Mr. Henson recommending imposing administrative costs of \$212.00 to be paid within 30 days or lien, and no further action to the Construction Industry Licensing Board and seconded by Mr. Sante for discussion. After discussion, Mr. Centonze made a friendly amendment to Mr. Sante's motion recommending that no new permits be applied for or issued until

Respondent closes all open permits with the Building Department. Mr. Sante accepted friendly amendment.

Mr. Henson added that Respondent must close all open permits to the satisfaction of the Building Official and it is not necessary for him to appear before the CEB. Motion carried unanimously.

Chairman recessed meeting at 10:33 a.m.

Chairman reconvened meeting at 10:52 a.m.

- c. CE13060182 Notice to Appear
 Levi J. Miller, Jr.
 Go Green
 6-234.(a) Advertising as a contractor without a valid certificate of competency

Attorney Wolfe sworn-in Mr. Miller.

Mr. Miller was present without legal representation to address the Board and contested the violation. Code Compliance Inspector Bruno was present to address the County. After testimony and evidence was taken from all parties, motion was made by Mr. Sante to find Respondent IN violation as cited and seconded by Mr. Henson. After discussion, motion carried unanimously.

Penalty – Motion made by Mr. Miller and seconded by Mr. Sante recommending Respondent pay outstanding fines and costs from Code Compliance Case Number CE11050054 and pay current administrative costs of \$156.11 within 30 days or lien. Outstanding fines are \$1,500.00 and outstanding costs are \$200.00, for a total of \$1,700.00. Grand total of \$1,856.11 due within 30 days or lien.

After discussion, Roll Call Vote: Yes – Mr. Sante, Mr. Miller, and Mr. Centonze; No – Mr. Henson and Chairman Krause. Motion passes with a 3-2 vote.

8. Staff Reports / Discussion

a. Jerry Smith, Building Official/Board Secretary

1. House Bill (HB) 973

- i. This bill creates a streamlined low-voltage alarm system installation permitting process. The state wants us to establish a system to issue "labels" to low voltage alarm contractors in lieu of permits. The bill requires local enforcement agencies to create a uniform scheme for alarm system permitting.
- ii. Contractor must obtain a permit label not to exceed \$55. Labels may be pre-purchased in bulk.
- iii. Labels are valid for one year from the date of purchase and may only be used in the jurisdiction that issued that label.

Attorney Williams advised Mr. Smith to send the HB 973 to each CEB member individually with instructions cautioning them not to "Reply to All" when replying to his e-mail.

b. Thomas Wright, Contractors' Examining Board Attorney – Nothing to report

1. CEB Rules and Procedures

2. Stop Work Order (SWO)

Last update received 09/13/11.

c. Lisa Granger/Steve Williams, Code Compliance Attorney – Nothing to report

Staff Reports / Discussion continued

d. Ronda Norman, Code Compliance Director

1. Citation activity list provided by Inspector Bruno

9. New Business

a. Construction Trades Application Review

1. Brooks Thommes - CGC014885 – Application for Flooring Certificate of Competency by waiver of examination. **Approved.**
2. Brooks Thommes - CGC014885 – Application for Tile, Terrazzo, & Marble Certificate of Competency by waiver of examination. **Approved.**
3. Bain Michael Edmondson – Application for Aluminum, Vinyl, and Plastic Certificate of Competency. **Approved.**
4. Travis Noel – Application for Painting & Decorating Certificate of Competency. **Approved contingent applicant provides a revised reference letter naming him instead of the business name by Mr. Sante.**
5. Dennis Savoie – Application for Residential Certificate of Competency by waiver of examination. Applicant reciprocating from City of Key West pursuant to MCC 6-239. Mr. Savoie's Monroe County Residential Contractor Certificate of Competency # GC 404C expired 10/31/2005. **Approved.**
6. Daniel Cevallos – Application for Landscaping Certificate of Competency. **Approved.**
7. Yuleidy Hernandez – Application for Cabinet & Millwork Certificate of Competency. **Approved.**
8. Edward G. Greger, Jr. – CGC1513656 – Application for Cabinet & Millwork Certificate of Competency by waiver of examination. **Approved.**
9. Iveta D. Babic – Application for Masonry Certificate of Competency. **Approved.**

10. Old Business / Discussion

a. CBAA:

1. Vacant Seat: Registered Architect

Agenda Item Summary for Peter Pike going before BOCC for approval of appointment on September 17, 2013.

b. Longshoreman's Insurance Update/Discussion

1. Attorney Williams read into the record Sarasota County and Pinellas County Contractor Registration forms:
 - i. Sarasota County Contractor Licensing Contractor Registration Instructions:
"If you are a MARINE contractor you must have coverage under the Longshoremen's Act & **6006F** must be clearly marked on your workers' compensation certificate. Per State Statute Ref: 440.10."
 - ii. Pinellas County Contractor Registration Checklist reads:
"A copy of USL&H Insurance Coverage, where applicable"

c. Building Department Ordinances in Effect:

1. *Ordinance Number 026-2013*

- i. MCC 6-23

Clarifying the definition of Normal Maintenance or Ordinary Minor Repair Work

Old Business / Discussions continued

ii. MCC 6-100(a)

Increasing the dollar amount of the Building Permit Exception for Minor Repairs from the current amount of \$1,000 to \$2,500; clarifying the applicability and limitations of the section; clarifying no fee for invasive exotic vegetation removal; clarifying the exception for work in areas subject to floodplain management requirements; removing tool sheds from the listed exceptions with an effective date of July 1, 2013; removing shutters from the listed exceptions

2. Ordinance Number 027-2013

i. MCC 6-237(a)(1)

Clarifying the method in which a contractor's certificate of competency may be obtained; providing for deadlines for applications and test.

3. Ordinance Number 028-2013

i. MCC 6-240(a), 6-240(b), and 6-242

Providing a grace period for the payment of late renewal fees; clarifying the late renewal penalty amount and providing for relief from this section by the Contractors' Examining Board upon good cause shown by the holder of the certificate of competency; providing for an application and fee renewal or reinstatement request; amending the title of 6-242.

4. HB 269 Building Construction and Inspection

Bill signed June 14, 2013 and became effective July 1, 2013. The bill increases the maximum civil penalty imposed by local enforcement agencies against unlicensed contractors from \$500.00 to \$2,000.00 and increases the civil penalty that may be charged per day by the local enforcement or local licensing board or designated special magistrate from \$1,000.00 to \$2,500.00.

11. Department of Business and Professional Regulation Case Status – Nothing to report

12. Meeting adjourned @ 11:57 A.M.

13. Recording closed at 12:14 P.M.

Odalys Mayan, License Coordinator

To request a copy of this hearing, please visit Monroe County website at www.monroecounty-fl.gov > Residents > Channel 76. <http://fl-monroecounty.civicplus.com/index.aspx?nid=121>

The Board approved the Minutes on November 19, 2013 ☒ "as submitted" or ☐ "as amended."